

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

ANDRE LEE THOMAS,	§	
Petitioner,	§	
v.	§	No. 4:09cv644 MHS
RICK THALER, Director, Texas Department of Criminal Justice, Correctional Institutions Division,	§	
Respondent.	§	

ORDER

This matter comes before the Court on Andre Lee Thomas' first motion for appointment of counsel (docket entry # 1), motion to proceed *in forma pauperis* (docket entry # 2), motion for admission *pro hoc vice* and waiver of fee (docket entry # 3), all filed on December 27, 2009, and motion for appointment of counsel *nunc pro tunc* (docket entry # 4), filed on January 15, 2010. The Court, having considered the circumstances alleged and authorities cited in the motions, and noting that they are unopposed, finds that they are well-taken and they will all be granted.

IT IS THEREFORE ORDERED that Petitioner Thomas may proceed in this action without the payment of fees or costs.

IT IS FURTHER ORDERED that Maurie Levin, 727 E. Dean Leeton, Austin, TX 78705, is appointed as lead counsel to represent Thomas throughout his federal *habeas corpus* proceedings, and Don Bailey, 903 Crockett St., Sherman, Texas, is appointed as co-counsel, both appointments

being effective as of January 1, 2010. They shall be compensated at the rate of \$175.00 per hour, and interim billing will be allowed.

IT IS FURTHER ORDERED that Marilyn J. Clark, Surya Sexna and Gregory Weyandt, 50 S. 6th St., Minneapolis, MN 55402, are admitted to practice in the United States District Court for the Eastern District of Texas for the purpose of providing *pro bono* assistance to Thomas, and the Court waives their *pro hoc vice* filing fee.

It is SO ORDERED.

SIGNED this 28th day of January, 2010.



MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE